BILL NO. S-85-06-24

SPECIAL ORDINANCE NO. S- 127-85

AN ORDINANCE approving Civil City Purchase Order #A-40340 with Harold McComb & Son, Inc., for the Fire Department of the City of Fort Wayne, Indiana.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Civil City Purchase Order #A-40340, between the City of Fort Wayne, by and through the Civil City Purchasing Agent, and the Department of Purchasing and Harold McComb & Son, Inc., respectfully for:

approving the awarding of a bid with respect to the labor and materials necessary for remodeling restrooms at Fire Stations #7 and 11;

involving a total cost of Thirty Thousand Nine Hundred Ninety-Two and No/100 Dollars ($30,992.00), all as more particularly set forth in said Purchase Order, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Councilmember

APPROVED AS TO FORM
AND LEGALITY

Bruce O. Boxberger, City Attorney

Read the first time in full and on motion by Eisbart, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee Finance (and the City Plan Commission for recommendation) and ~~Public Hearing~~ to be held after due legal notice, at the Council Chambers, City-County ~~Building~~, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock ____.M.,E.S.T.

DATE: 6-24-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Eisbart, seconded by Stier, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	8	___	_____	1	_____
BRADBURY	___	___	_____	___	_____
BURNS	✓	___	_____	___	_____
EISBART	✓	___	_____	___	_____
GiaQUINTA	✓	___	_____	___	_____
HENRY	✓	___	_____	___	_____
REDD	✓	___	_____	___	_____
SCHMIDT	✓	___	_____	___	_____
STIER	✓	___	_____	___	_____
TALARICO	✓	___	_____	___	_____

DATE: 7-9-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ANNEXATION~~) (~~APPROPRIATION~~) (~~GENERAL~~) (SPECIAL) (ZONING MAP) ORDINANCE (~~RESOLUTION~~) NO. S-127-85 on the 9th day of July, 19 85,

ATTEST: (SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Mark E. GiaQuinta
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 19 85, at the hour of 11:30 o'clock A.M.,E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 11th day of July, 19 85, at the hour of 9 o'clock A.M.,E.S.T.

Josette R. Moses
WIN MOSES, JR., MAYOR

UNISET | Reynolds+Reynolds | Dayton, Ohio | UNISET

FORM FWPO-1 APPROVED BY THE STATE BOARD OF ACCOUNTS FOR CITY UTILITIES AND CIVIL CITY OF FORT WAYNE 1980

City of Fort Wayne

DEPARTMENT OF PURCHASES

NUMBER ONE EAST MAIN STREET, ROOM 940
FORT WAYNE, IN 46802

PURCHASE ORDER NUMBER
A– 40340

DATE 06/18/85
REQ. NO. 00065

THE ABOVE INFORMATION MUST APPEAR ON ALL INVOICES, BILLS OF LADING, DELIVERY TICKETS, PACKAGES AND CORRESPONDENCE.

INVOICE IN DUPLICATE

MAIL ALL CORRESPONDENCE, CLAIM VOUCHERS, ETC., TO:

FIRE DEPARTMENT 730
ONE MAIN ST RM 350
FORT WAYNE IN 46802

HAROLD MCCOMB & SON, INC. 2296-01
2610 PENNSYLVANIA STREET
FORT WAYNE IN 46803

DELIVER TO: DEPARTMENT OR DIVISION

FIRE DEPARTMENT
ONE MAIN ST., ROOM 350
FORT WAYNE IN 46802

XX **CIVIL CITY**

☐ **CITY UTILITIES**

APPROPRIATION AND FUND NUMBER 0-10-015-151-04-361

CASH DISCOUNT TERMS % IF PAID WITHIN DAYS FROM DELIVERY AND ACCEPTANCE OF GOODS OR PERFORMANCE OF SERVICES. (DEDUCTION FOR DISCOUNT SHOWN BELOW)

C040340 CM N/A

QUANTITY ORDERED	UNIT	MATERIALS, SUPPLIES OR SERVICES	UNIT PRICE	AMOUNT
		TAX EXEMPT (UNLESS OTHERWISE INDICATED)		
1	LST	*001 PER BID REFERENCE #1203	30992.00	30992.00
		LABOR AND MATERIALS FOR REMODELING THE RESTROOMS AT FIRE STATIONS #7 AND #11 PER THE SPECIFICATIONS IN BID REFERENCE #1203.		
		FIRE STATION #7 1602 LINDENWOOD AVENUE----------$15,496.00		
		FIRE STATION #11 405 EAST RUDISILL BOULEVARD-------$15,496.00		
		TOTAL----------$30,992.00		
		SUBJECT TO COUNCILMANIC APPROVAL: ORDINANCE NO:_____ DATE:_____		
		FOR INFORMATION: PURCHASING 219-427-1101	TOTAL	30992.00

COMPLIANCE WITH THE DELIVERY DATE REQUESTED WILL AVOID "FOLLOW UP" CORRESPONDENCE.

UNLESS OTHERWISE INDICATED THE PRICES SHOWN INCLUDE ALL CHARGES FOR DELIVERY, PACKING, ETC., NECESSARY TO COMPLETE DELIVERY TO DESTINATION SPECIFIED.

NOTE
READ INSTRUCTIONS ON THE BACK OF THIS **ORDER**

THE CONTRACTOR OR VENDOR, BY ACCEPTING THIS ORDER, AGREES TO THE GENERAL CONDITIONS AND TERMS OF AGREEMENT ON THE BACK OF THIS ORDER.

UNLESS OTHERWISE INDICATED, THE PRICES SHOWN DO NOT INCLUDE TAXES OF ANY KIND.

EXEMPTION BLANKS WILL BE FURNISHED WHEN NECESSARY.

INDIANA SALES TAX EXEMPTION CERTIFICATE NUMBER
034508-03

IF THIS ORDER DOES NOT AGREE WITH YOUR QUOTATION KINDLY RETURN IT WITH AN EXPLANATION.

I HEREBY CERTIFY THAT THE COST OF THE ABOVE PURCHASE IS FULLY COVERED BY UNENCUMBERED BALANCES IN THE ABOVE FUNDS AND THAT THE EXPENDITURE THEREFORE HAS BEEN DULY AUTHORIZED AND APPROPRIATED.

CITY CONTROLLER

PER _____

I HEREBY CERTIFY UPON MY OWN PERSONAL KNOWLEDGE THAT THIS ORDER IS AUTHORIZED BY A PROPERLY EXECUTED AND APPROVED REQUISITION ON FILE IN THIS OFFICE.

DIRECTOR OF PURCHASES

PER _____

FORM DP28 5-68

CITY OF FORT WAYNE
DEPARTMENT OF PURCHASES
FT. WAYNE, IND.

INVITATION

Page 1 of 4

Ref. No. 1203

Date May 16, 1985

Date wanted 6/3/85

Quotations, subject to the conditions on the reverse hereof, are requested on the following list of materials, supplies, equipment or services, for the department as mentioned, with delivery to destination as shown below. Quotations shall include all charges for delivery, packing, etc. Address your reply as indicated below.

*Mail all replies and correspondence, etc. to Att. of Carol Offerle:427-1101 DEPARTMENT OF PURCHASES

Address Room 940, One Main Street, Ft. Wayne, IN 46802

REQUIRED FOR DELIVERY TO:

Department or Division FIRE DEPARTMENT

Address ONE MAIN STREET
FORT WAYNE, IN 46802

Fund Appropriation No.

RETURN ORIGINAL TO THE CITY — RETAIN DUPLICATE COPY FOR YOUR FILE

Closing Time of Bids June 3, 1985 at 10:00 a.m.

TAXES: THE CITY IS EXEMPT FROM FEDERAL EXCISE AND INDIANA STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION CERTIFICATE NUMBER IS NO. 84508. PRICES SHOULD NOT INCLUDE THESE TAXES. See "Instructions to Bidders" No. 10 on reverse hereof for details.

TAX EXEMPT (Unless otherwise indicated)

Quantity	Unit	Materials, Supplies, Equipment or Services	Unit Price	Total Amount
		Principal Bid #1 - The complete construction of a new toilet room at Fire Station #7 located at 1602 Lindenwood Avenue, Fort Wayne, IN as drawn and specified for the sum of: $15,496.00		
		Principal Bid #2 - The complete construction of a new toilet room at Fire Station #11 located at 405 East Rudisill Blvd., Fort Wayne, IN as drawn and specified for the sum of: $15,496.00		
		Principal Bid #3 - Total bid for the complete construction of a new toilet room at both Fire Station #7 and Fire Station #11 as drawn and specified for the sum of: $30,992.00		
		Unit Prices -		
		a. Cost per cubic yard to furnish any additional fill material & put it in place, including compaction, in connection with the underfloor plumbing lines, including labor, materials, equipment, profit & overhead for the sum per cubic yard of: $40.00		
		Continued on Second Sheet of Bid Form		

Bid Bond required NO ☐ YES ☒ 5% of total bid Performance Bond NO ☐ YES ☒ 100% of Total bid

See Instruction Item No. 16 on reverse side hereof.

Terms ____ % cash discount if paid within ____ days from delivery and acceptance of goods or completion of service

PROPOSAL OR BID

In compliance with the above invitation for bids and subject to all conditions thereof, the undersigned offers and agrees, if this bid be accepted within a reasonal time from date of closing, to furnish any or all of the items or render such services upon which prices are quoted, in accordance with the specifications applying and at t price set opposite each item.

Delivery of any or all of the items or completion of services indicated shall be made within ____ days from receipt of ord

IMPORTANT ☞ As delivery may be a deciding factor in the award of an order, it is important that bidde furnish the information requested above.

Sign Here: Alan L. McComb

HAROLD McCOMB & SON INC.
Name of Company

Per ALAN L. McCOMB Title VICE-PRES.

Address 2610 PENNSYLVANIA STREET

City FT. WAYNE IN 46803 Date 6/03/8

DEPARTMENT OF PURCHASES
PT. WAYNE, IND.

INVITATION

Quotations, subject to the conditions on the reverse hereof, are requested on the following list of materials, supplies, equipment or services, for the department as mentioned, with delivery to destination as shown below. Quotations shall include all charges for delivery, packing, etc. Address your reply as indicated below.

Ref. No. 1203

Date

Date wanted

*Mail all replies and correspondence, etc. to Att. of DEPARTMENT OF PURCHASES

Address

REQUIRED FOR DELIVERY TO:

Department or Division

Fund Appropriation No.

Address

RETURN ORIGINAL TO THE CITY — RETAIN DUPLICATE COPY FOR YOUR FILE

Closing Time of Bids

TAXES: THE CITY IS EXEMPT FROM FEDERAL EXCISE AND INDIANA STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION CERTIFICATE NUMBER IS NO. 34608. PRICES SHOULD NOT INCLUDE THESE TAXES. See "Instructions to Bidders" No. 10 on reverse hereof for detail

TAX EXEMPT (Unless otherwise indicated)

Quantity	Unit	Materials, Supplies, Equipment or Services	Unit Price	Total Amount
		Unit Prices continued		
		b. Cost per cubic yard to furnish and install any additional concrete in connection with the underfloor plumbing lines, including labor, materials, equipment, profit and overhead for the sum per cubic yard of: $85.00		
		c. Cost per cubic yard to excavate any additional below grade fill and earth in connection with the underfloor plumbing lines, including labor, materials, equipment, profit and overhead for the sum per cubic yard of: $75.00		
		THE CITY RESERVES THE RIGHT TO AWARD THE BID TO ONE CONTRACTOR OR TO SPLIT THE AWARD BETWEEN TWO(2) CONTRACTORS (ONE FOR EACH FIRE STATION).		
		AFFIRMATIVE ACTION: On File _____ Attached _____ WILL BE FILED ON ACCEPTANCE OF BID.		

Bid Bond required NO ☐ YES _____ Performance Bond NO YES ☐ _____

See Instruction Item No. 16 on reverse side hereof.

Terms 0 % cash discount if paid within _____ days from delivery and acceptance of goods or completion of servic

PROPOSAL OR BID

In compliance with the above invitation for bids and subject to all conditions thereof, the undersigned offers and agrees, if this bid be accepted within a reasonable time from date of closing, to furnish any or all of the items or render such services upon which prices are quoted, in accordance with the specifications applying and at prices set opposite each item.

Delivery of any or all of the items or completion of services indicated shall be made within 45 days from receipt of or

IMPORTANT ☞ As delivery may be a deciding factor in the award of an order, it is important that bid furnish the information requested above.

Sign Here Alan L. McComb

HAROLD MCCOMB & SON INC.
Name of Company

Per _____ Title VICE-PRES.

Address 2610 PENNSYLVANIA ST.

City FORT WAYNE, IN 46803 Date 6/3/8

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA, }
Allen COUNTY } SS:

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting, nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale or contract.

Alan L. McComb Vice-Pres.
Bidder or Agent

For HAROLD McCOMB & SON, INC.
Firm or Corporation

Subscribed and sworn to before me this 3rd day of June, 1985.

My Commission Expires

4/6/87

Sheri S. McComb

PROPOSAL AND BID SURETY FORM

PROPOSAL:

In compliance with the foregoing invitation to bid and subject to all of the conditions thereof the undersigned offers and agrees, if this bid is accepted within a reasonable time from date of opening of bids, to enter into a contract in accordance with the prices stated herein.

The Legal Advertisement, General Conditions, Instructions to Bidders, Information for Bidders, Special Conditions, Specifications, and Plans applying form a part of this proposal.

This proposal is supported by the following bid surety as required by law and signatures affixed thereto constitute both a proposal and bid surety executed by the bidder.

BID SURETY (REQUIRED BY LAW):

BOND FORM: (USE THIS BOND FORM—NO ALTERNATE FORM OF BOND WILL BE CONSIDERED).

KNOW ALL MEN BY THESE PRESENTS, THAT we, the undersigned, are held and firmly bound unto the City of Fort Wayne, State of Indiana, in the sum of 5% of the attached bid

_____ Dollars, to be paid on demand to said City of Fort Wayne, its successors and assigns for which payment well and truly to be made, we hereby bind ourselves, our heirs, successors, executors, and administrators, jointly and severally firmly by these presents.

The condition of this obligation is such that if the bid or proposal attached hereto and made a part hereof and submitted to the within named division of the City of Fort Wayne or its duly constituted agent, is accepted and a contract awarded to the undersigned bidder and the said bidder shall within ten (10) days after notice of said award enter into a contract with the said City of Fort Wayne, State of Indiana, and shall secure the performance of the same by bond or otherwise as may be required to the satisfaction of the City of Fort Wayne, Indiana then this obligation shall be null and void; otherwise to be in full force and effect.

If a corporate surety is furnished, it is necessary that a certificate authorizing the "attorney-in-fact" to sign the bond accompanying the same.

BID CHECK (ALTERNATE FORM OF SURETY):

Certified ☐

Cashiers ☐ Check No. _____ in the sum of _____ Dollars

on _____ Bank

of _____

is herewith submitted and deposited in lieu of bond under the same terms and conditions as set forth in the above bond.

Note: If Check is used as Bid Surety—Attach here.

SIGNATURES (BID SURETY AND PROPOSAL):

Witnessed by: A. Kevin Rickle

BIDDER AND PRINCIPAL

Harold McComb & Son, Inc.
Name of Bidder—Print or Type

By Harold L. McComb
Signature of Person Authorized to Sign

Title Vice President

2610 Pennsylvania St.
Street Name and Number

Fort Wayne IN 46803
City, State and Zip Code

Date June 3, 1985

SEE COVER LETTER

OTHER PARTIES INTERESTED IN THIS PROPOSAL
(See 14—Signatures under General Conditons, etc.)
List all Parties if Partnership

Witnessed by: Elizabeth A. Hatter

SURETY

Reliance Insurance Company
Name of Company — Print or Type

Incorporated In the State of: Pennsylvania

Address 4 Penn Center, Philadelphia, P

By T. V. Hatter

MAIL TO: P.O. Box 55811
Indianapolis, IN 46205

RELIANCE INSURANCE COMPANY

HEAD OFFICE, PHILADELPHIA, PENNSYLVANIA

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, That the RELIANCE INSURANCE COMPANY, a corporation duly organized under the laws of the State of Pennsylvania, does hereby make, constitute and appoint Richard F. Ritter of New Haven, Indiana

its true and lawful Attorney-in-Fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed any and all bonds and undertakings of Suretyship,

and to bind the RELIANCE INSURANCE COMPANY thereby as fully and to the same extent as if such bonds and undertakings and other writings obligatory in the nature thereof were signed by an Executive Officer of the RELIANCE INSURANCE COMPANY and sealed and attested by one other of such officers, and hereby ratifies and confirms all that its said Attorney(s)-in-Fact may do in pursuance hereof.

This Power of Attorney is granted under and by authority of Article VII of the By-Laws of RELIANCE INSURANCE COMPANY which became effective September 7, 1978, which provisions are now in full force and effect, reading as follows:

ARTICLE VII – EXECUTION OF BONDS AND UNDERTAKINGS

1. The Board of Directors, the President, the Chairman of the Board, any Senior Vice President, any Vice President or Assistant Vice President or other officer designated by the Board of Directors shall have power and authority to (a) appoint Attorneys-in-Fact and to authorize them to execute on behalf of the Company, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and (b) to remove any such Attorney-in-Fact at any time and revoke the power and authority given to him.

2. Attorneys-in-Fact shall have power and authority, subject to the terms and limitations of the power of attorney issued to them, to execute and deliver on behalf of the Company, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof. The corporate seal is not necessary for the validity of any bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.

3. Attorneys-in-Fact shall have power and authority to execute affidavits required to be attached to bonds, recognizances, contracts of indemnity or other conditional or obligatory undertakings and they shall also have power and authority to certify the financial statement of the Company and to copies of the By-Laws of the Company or any article or section thereof.

This power of attorney is signed and sealed by facsimile under and by authority of the following Resolution adopted by the Board of Directors of RELIANCE INSURANCE COMPANY at a meeting held on the 5th day of June, 1979, at which a quorum was present, and said Resolution has not been amended or repealed:

> "Resolved, that the signatures of such directors and officers and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached."

IN WITNESS WHEREOF, the RELIANCE INSURANCE COMPANY has caused these presents to be signed by its Vice President, and its corporate seal to be hereto affixed, this 19th day of December 1984.

RELIANCE INSURANCE COMPANY

Vice President

STATE OF Pennsylvania
COUNTY OF Philadelphia } ss.

On this 19th day of December, 1984, personally appeared Raymond MacNeil

to me known to be the Vice-President of the RELIANCE INSURANCE COMPANY, and acknowledged that he executed and attested the foregoing instrument and affixed the seal of said corporation thereto, and that Article VII, Section 1, 2, and 3 of the By-Laws of said Company and the Resolution, set forth therein, are still in full force.

My Commission Expires:

September 28, 1987

Notary Public in and for State of Pennsylvania

Residing at Philadelphia

I, J. A. Daily, Assistant Secretary of the RELIANCE INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said RELIANCE INSURANCE COMPANY, which is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company this 31 day of May 19 85

Assistant Secretary

BDR-1431 Ed. 6/79

7054

DIGEST SHEET

TITLE OF ORDINANCE: SPECIAL

O-85-06-24

DEPARTMENT REQUESTING ORDINANCE: PURCHASING

SYNOPSIS OF ORDINANCE: An ordinance approving the awarding of a bid with respect to the labor and materials necessary for remodeling restrooms at Fire Stations # 7 and 11.

EFFECT OF PASSAGE: These restrooms must be remodeled to accomodate both male and female firefighters.

EFFECT OF NON-PASSAGE: The continued inconvenience and akwardness of both male and female firefighters using the same restroom facilities.

MONEY INVOLVED (Direct costs, Expenditures, Savings):
Harold McComb & Son, Inc. - $30,992.00.

ASSIGNED TO COMMITTE (President):

BILL NO. S-85-06-24

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED AN (ORDINANCE) (RESOLUTION) approving Civil City Purchase Order #A-40340 with Harold McComb & Son, Inc., for the Fire Department of the City of Fort Wayne, Indiana

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) (RESOLUTION) DO PASS DO NOT PASS WITHDRAWN

YES		NO
	BEN A. EISBART CHAIRMAN	
	JANET G. BRADBURY VICE CHAIRWOMAN	
Samuel J. Talarico	SAMUEL J. TALARICO	
	THOMAS C. HENRY	
	JAMES S. STIER	

CONCURRED IN 7-9-85

SANDRA E. KENNEDY
CITY CLERK